

Report Date: July 25, 2008

**United States District Court**

**for the**

**Eastern District of Washington**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
  
AUG 07 2008  
  
JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Wade L Phillips

Case Number: 2:98CR00051-001

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Chief US District Judge

Date of Original Sentence: 1/8/1999

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm,  
18 U.S.C. § 922 (g)

Date Supervision Commenced: 7/25/2008

Original Sentence: Prison - 137 Months; TSR - 36  
Months

Date Supervision Expires: 7/24/2011

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 15 You shall complete a mental health evaluation and follow any treatment recommendations, including taking prescribed medications, as recommended by the treatment provider. You shall allow reciprocal release of information between the supervising probation officer and treatment provider. You shall contribute to the cost of treatment according to your ability.
- 16 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

**CAUSE**

Mr. Phillips release from his custody sentence on July 25, 2008, the above drug testing modification is respectfully requested in order to be in compliance with United States v. Stephens (9<sup>th</sup> Cir. 2005) case.

While serving his custody sentence, Mr. Phillips has received mental health treatment and participated in the "Axis II" program while housed at U.S. penitentiary, Missouri. He is currently taking the psychoactive medication Wellbutrin, for a "bi-polar disorder". The above mental health condition would allow the US probation office to offer Mr. Phillips access to a treatment provider at no cost to him.

Mr. Phillips is in agreement with the above modification and has signed the attached modification document. He was advised of his right to a hearing and advice of counsel and voluntarily waived such rights.

Prob 12B

Re: Phillips, Wade L

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

7/25/08  
S - H J

Samuel Najera  
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ The Modification of Conditions as Noted Above  
☐ Other



Signature of Judicial Officer

August 7, 2008

Date